MONTANA LEGISLATIVE HISTORY

Chapter 252 19 74

Bill H 586 S _____ Original bill & history ____C

H. Committee on _____

Hearing Date(s) _____ ____C

_____ ____C

_____ ____C

_____ ____C

Date Out _____ ____C

No info for House or Free committee

S. Committee on Taxation

Hearing Date(s) 2/21 ____C No comments

2/23 ✓ C

_____ ____C

_____ ____C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

1974 Senate

43rd LEGISLATIVE SESSION

COMMITTEE ON TAXATION

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
583	1/11	2/21	2/23						2/23
586	1/11	2/21	2/23					2/23	
725	1/22	2/12	2/12					2/12	
734	1/30	2/21	2/21				2/21		
761	2/4	2/21	2/21						2/21
769	1/30	2/14	2/14					2/14	
771	1/28	2/14	2/14				2/14		
788	2/5	2/21	2/21				2/21		
799	3/7	3/14	3/14					3/14	
820	2/22	2/28	2/28						2/28
830	2/14	2/28	2/28					2/28	
848	2/11	3/2	3/2				3/2		
884	2/12	2/23	2/26						2/26
890	3/5	3/7	3/15	PASSED OUT WITHOUT RECOMMENDATION					
894	2/8	3/2	3/2					3/2	

MINUTES OF THE MEETING
TAXATION COMMITTEE
MONTANA STATE SENATE

February 23, 1974

The twentieth meeting of the Taxation Committee was held on the above date, in Room 415 of the State Capitol Building, called to order by Chairman Nees at 8:14 a.m.

ROLL CALL: All members were present with the exception of Senators McKeon and Vainio.

The following witnesses were present:

Jim Pippard	4-C Day Care
Ken Rohyans	Mont. Ass'n. for Retarded Children
Milton Shipstad	Day Care
Annette Shipstad	
Dorothy Bradley	Representative
Lyle Eggum	Working Parent

Chairman Nees first asked the committee about several bills previously heard, House Bills 583 and 586. Senator Broeder further explained HB586, and said that at present the State was helping fight forest fires on Federal lands. He said there had been excessive costs during this last fire season which was a particularly bad season. Land owners were objecting to the large increase as is proposed in HB586, since only about 4 1/2% of the fires last season were man-caused. Some of them had considered a 14 and 4¢ tax rate and would accept this amendment to the bill.

Amendments to the bill were discussion and following, members voted on the bill:

DISPOSITION: Senator Turnage MOVED TO ADOPT THE AMENDMENTS TO HOUSE BILL 586. Senator Mathers seconded the motion and motion was carried.

Senator Turnage then MOVED HOUSE BILL 586 AS AMENDED, BE CONCURRED IN. Senator Mathers seconded the motion; motion carried. Roll call vote is attached.

The members then discussed House Bill 583, also previously heard.

DISPOSITION: Senator Turnage MOVED HOUSE BILL 583 BE NOT CONCURRED IN. Senator Mathers seconded the motion and a roll call vote was taken, with results: 5 "Yes", and 4 "No". Record is attached.

Members then discussed Senate Bill 719, which is now back in committee.

CONSIDERATION HOUSE BILL 884: Representative Bradley was present to explain her bill and said the day care centers had met with enthusiasm since their beginning and hoped for this mill levy to help in funding them. She introduced Mr. Pippard, who said there had been no difficulties in the funding of the centers.

ROLL CALL

TAXATION COMMITTEE 1974

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 2/23

NAME	PRESENT	ABSENT	EXCUSED
VICE CHAIRMAN McKEON			
SEN. BENNETT	✓		
SEN. BROEDER	✓		
SEN. KLINDT	✓		
SEN. MANNING	✓		
SEN. MATHERS	✓		
SEN. McGOWAN	✓		
SEN. McOMBER	✓		
SEN. TURNAGE	✓		
SEN. VAINIO			
CHAIRMAN NEES	✓		

Each day attach to minutes

amounts shall be established from the tuition rate and *other* information reported by the district in which the pupil attended school. No tuition shall be due when a pupil attends less than forty (40) days of school in such district."

Approved March 21, 1974

CHAPTER NO. 252

AN ACT TO AMEND SECTION 28-109, R.C.M. 1947, PROVIDING FOR AN INCREASE IN FIRE PROTECTION AND SUPPRESSION FEES PAID BY OWNERS OF CLASSIFIED FOREST LAND FROM NOT MORE THAN TEN CENTS (10¢) PER ACRE TO NOT MORE THAN SIXTEEN CENTS (16¢) PER ACRE FOR CLASS I LANDS AND FROM NOT MORE THAN THREE CENTS (3¢) PER ACRE TO NOT MORE THAN FIVE CENTS (5¢) PER ACRE FOR CLASS II LANDS; AND PROVIDING AN EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 28-109, R.C.M. 1947, is amended to read as follows:

"28-109. **Duty of owner of classified forest land.** Every owner of forest land classified as such by the board is hereby required to furnish protection against the starting or existence, and to suppress the spread, of fire on such land during the full period of each forest fire season defined by this act. Such protection and suppression shall be in conformity with reasonable rules and standards for adequate fire protection to be prescribed by the board. If such owner does not provide for such protection and suppression, said board may provide the same, at a cost to the landowner of not more than *sixteen cents (16¢)* per acre per year for Class I land and not more than *five cents (5¢)* per acre per year for Class II land and in the event thereof, the owner of such land shall pay to the county treasurer of the county in which such land is situated, the charge for the same approved by the board, in accordance with the provisions of this act. No other charges shall be assessed those landowners participating, except in cases of proven negligence on the part of the landowner or his agent.

The forest land of Montana shall be classified for protection and assessment purposes as follows:

(a) Class I Land. Shall include all forest land primarily suitable for production of timber, forest land primarily suitable for joint use for timber production and the grazing of livestock as a permanent or semipermanent joint use or as a temporary joint use during the interim between logging and reforestation.

(b) Class II Land. Shall include all lands primarily suitable for grazing or other agricultural purposes, which are intermingled with or contiguous to the land described in subsection (a), above.

(c) Class III Land. Shall include lands primarily suitable for grazing or other agricultural purposes including structures and improvements which are within the forest fire protection areas but not meeting the detailed definitions of lands described in subsection (b), above. These lands may only be listed for payment when requested by the landowner at rates determined by the state forester and shall be submitted to the county assessor for collection and disposition as provided in section 28-111."

Section 2. This act shall be effective on its passage and approval.

Approved March 21, 1974

CHAPTER NO. 253

AN ACT FOR THE CODIFICATION AND GENERAL REVISION OF THE LAWS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION.

Be it enacted by the Legislature of the State of Montana:

Section 1. There is a new section to be numbered 28-101.1, R.C.M. 1947, which reads as follows:

28-101.1. **Purpose of chapter.** It is the purpose of this chapter to provide for the protection and conservation of forest resources, range, and water, regulation of streamflow, and the prevention of soil erosion. It is further the purpose of this chapter to more adequately promote and facilitate the cooperation, financial and otherwise, between the state and public and private agencies which are associated in such work.

Section 2. Section 28-103, R.C.M. 1947, is amended to read as follows:

"28-103. **Definitions.** *Unless the context requires otherwise, in this chapter:*

(1) "Forest land" means land which has enough timber, standing or down, slash, or brush, to constitute in the judgment of the board a fire menace to life or property; grassland and agricultural areas are included when *those* areas are intermingled with or contiguous to areas of forest land.

(2) "Lands" for conservation purposes *means* all forest lands within *this* state which are officially classified by the board as forest lands in accordance with *section* 28-104(b).

(3) "Forest fire" means a fire burning uncontrolled on forest lands.

(4) "Organized forest fire protection *district" means* a definite forest land area, the boundaries of which are fixed, and wherein forest fire protection is provided through the medium of an agency recognized by the board.

(5) "Recognized agency" means an agency representing owners of